

# Memorandum



**Date:** April 24, 2007

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

Agenda Item No. 8(G)(1)(A)

**From:** George M. Burgess  
County Manager

**Subject:** Resolution Authorizing the Miami-Dade Housing Agency to Create Three  
Additional Bank Accounts

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## **Recommendation**

It is recommended that the Board of County Commissioners approve the creation of three additional bank accounts for the Miami-Dade Housing Agency (MDHA) and authorize the Mayor or his designee to execute any necessary agreements. The three bank accounts are for: 1) tenant escrows for the Family Self-Sufficiency (FSS) program in Public Housing, 2) tenant escrows for the FSS program in Section 8, and 3) tenant security deposits for Public Housing and Section 8 New Construction programs.

## **Scope**

The impact of this resolution is countywide as these are for the Family Self-Sufficiency (FSS) and for tenant security deposits for Public Housing and Section 8.

## **Fiscal Impact**

This resolution does not create a fiscal impact to the County.

## **Background**

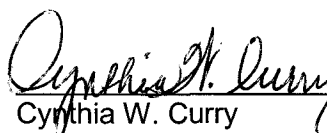
MDHA currently maintains federal and proprietary funds in accounts at Wachovia bank. MDHA maintains two such accounts, 1) for the Adker Settlement funds (earmarked for use in connection with the Ann-Marie Adker, et. al. vs. United States Department of Housing and Urban Development and Miami-Dade County), and 2) the General Operating Account that contains deposits for Public Housing, Section 8 and other federally-funded programs.

While program balances are accounted for and tracked separately within MDHA's General Ledger, at present the funds associated with the FSS Programs for Public Housing and Section 8 as well as tenant security deposits for Public Housing and Section 8 New Construction are contained within the pooled cash in the General Operating Account. The regulations cited below require that these funds be placed in separate accounts:

- 24 CFR 984.305(a)(1) – "The PHA [Public Housing Authority] is required to deposit all escrowed funds into a single depository account for each FSS program (Public Housing or Section 8)."
- Florida Statutes 83.49(1) – "Whenever money is deposited by a tenant on a rental agreement as security for performance of the rental agreement or as advance rent for other than the next immediate rental period, the landlord or the landlord's agent shall (a) Hold the total amount of such money in a separate non-interest-bearing account in a Florida banking institution for the benefit of the tenant or tenants."

The attached resolution authorizes the creation of three separate accounts, one each for tenant escrow funds associated with the FSS Program for Public Housing and the FSS Program for Section 8, and the third for the tenant security deposits for Public Housing and Section 8 New Construction. The MDHA personnel authorized to approve check requests relating to these accounts will be the individuals in the positions listed below:

FSS Program for Public Housing	MDHA Director Chief Financial Officer Chief Operating Officer
FSS Program for Section 8	MDHA Director Chief Financial Officer Chief Operating Officer
Tenant Security Deposits for Public Housing and Section 8 New Construction	MDHA Director Chief Financial Officer Chief Operating Officer

  
Cynthia W. Curry  
Senior Advisor to the County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** April 24, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 8(G)(1)(A)

Please note any items checked.

\_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

\_\_\_\_\_ 6 weeks required between first reading and public hearing

\_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing

\_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget

\_\_\_\_\_ Budget required

\_\_\_\_\_ Statement of fiscal impact required

\_\_\_\_\_ Bid waiver requiring County Manager's written recommendation

\_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing

\_\_\_\_\_ Housekeeping item (no policy decision required)

\_\_\_\_\_ No committee review

Approved \_\_\_\_\_ Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 8(G)(1)(A)

04-24-07

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING MIAMI-DADE HOUSING AGENCY (MDHA) TO CREATE THREE ADDITIONAL BANK ACCOUNTS FOR THE FSS PROGRAM FOR PUBLIC HOUSING, FSS PROGRAM FOR SECTION 8, AND TENANT SECURITY DEPOSITS FOR PUBLIC HOUSING AND SECTION 8 NEW CONSTRUCTION; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes Miami-Dade Housing Agency (MDHA) to create three additional bank accounts for the FSS Program for Public Housing, FSS Program for Section 8, and Tenant Security Deposits For Public Housing And Section 8 New Construction; and authorizing the Mayor or his designee to execute any necessary agreements, amendments, modifications, renewal, cancellation, and termination clauses of any agreements on behalf of Miami-Dade County.

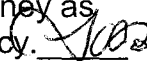
The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 24<sup>th</sup> day of April, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency. 

Terrence A. Smith

By: \_\_\_\_\_  
Deputy Clerk

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